

Boone County Board of Zoning Appeals
April 27, 2022 at 5:30 PM
Lamar Meeting Room- Boone County Government Building

Members Attending: Sam Mitchell, Brent Henschen, Kasey Copeland and John Merson

Members Absent: Not Appointed

Staff Attending: Ashley Elliott (APC Administrative Assistant), Rachel Cardis (APC Director) and Bob Clutter (Attorney for the Boone County BZA)

A. Administrative Issues

1. John Merson opened the meeting at 5:30 pm by leading the pledge of allegiance. Introductions followed.

2. **Determination of Quorum:** 4 of 5 members present.

3. Approval of Minutes for February 23, 2022 meeting:

Brent Henschen made a motion to approve the minutes from February 23, 2022.

Sam Mitchell seconded the motion. Motion carried 4-0.

4. Approval of the Agenda:

Rachel Cardis stated petitions 22MA-7-026 Kathryn Padgett and 22CE-7M-057 Wilhoite Land Company are tabled until the May 25, 2022 BZA meeting due to lack of public notice.

Elections of 2022 Officers.

Brent Henschen made a motion to appoint John Merson President. Sam Mitchell seconded the motion. Motion carried 4-0.

Sam Mitchell made a motion to appoint Brent Henschen Vice President. Kasey Copeland seconded the motion. Motion carried 4-0.

B. Old Business Public Hearings:

None at this time.

C. New Business Public Hearings:

1. 21CL-7M-271 Jacob Sanders; Special Exception with Minor Residential Plat

Rachel Cardis read the staff report.

Jacob Sanders came forward on behalf of this petition. A couple of surrounding property owners came forward with questions/concerns about this becoming a subdivision and Rachel Cardis explained this will not be a subdivision and the Mr. Sanders was here to build 1 single family home.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Brent Henschen made a motion to approve 21CL-7M-271 with the conditions stated in the staff report.

Kasey Copeland seconded the motion. Motion carried 4-0.

2. 22WA-7V-014 Jordan Bass; Special Exception for Outdoor Recreational Facility with Variances

Rachel Cardis read the staff report.

Jordan Bass came forward on behalf of this petition as well as a couple of supporters of the project with information.

John Merson closed the public hearing and opened it to the board. Questions were raised by the Board Members and all questions were answered by the petitioner and County Attorney Bob Clutter.

Sam Mitchell made a motion to approve 22WA-7V-014 with the conditions stated in the staff report, with the exception the petitioner will provide 67 parking spots with the removal of a asphalt surface and using gravel, except for the 2 ADA parking spots.

Brent Henschen seconded the motion. Motion carried 4-0.

3. 22WA-14-015 Zach Love; Development Standard Variance Requests for New Accessory Structure

Rachel Cardis read the staff report.

Erica Love came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Brent Henschen made a motion to approve 22WA-14-015 with the conditions stated in the staff report.

Kasey Copeland seconded the motion. Motion carried 4-0.

4. 22SC-7-016 Nick Threlkeld; Special Exception for a New Single Family Dwelling

Rachel Cardis read the staff report.

Nick Threlkeld came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

John Merson made a motion to approve 22SC-7-016 with the conditions stated in the staff report and that petitioner shall execute and record on agreement in demnifying Boone County for any damages related to the development of the property.

Sam Mitchell seconded the motion. Motion carried 4-0.

5. 22WA-7-022 Patrick Susong; Special Exception for a New Single Family Dwelling

Rachel Cardis read the staff report.

Patrick Susong came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Kasey Copeland made a motion to approve 22WA-7-022 with the conditions stated in the staff report.

Brent Henschen seconded the motion. Motion carried 4-0.

6. 22MA-7-026 Kathryn Padgett; Special Exception for a New Single Family Dwelling

Tabled until May BZA meeting due to lack of notification.

7. 22JE-7-030 Keith Craig; Special Exception for a New Single Family Dwelling (Southern Lot)

Rachel Cardis read the staff report.

Keith Craig came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Sam Mitchell made a motion to approve 22JE-7-030 with the conditions stated in the staff report.

Brent Henschen seconded the motion. Motion carried 4-0.

8. 22JE-7-031 Keith Craig; Special Exception for a New Single Family Dwelling (Northern Lot)

Rachel Cardis read the staff report.

Keith Craig came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Brent Henschen made a motion to approve 22JE-7-031 with the conditions stated in the staff report.

Kasey Copeland seconded the motion. Motion carried 4-0.

9. 22MA-7V-042 Scott & Kimberly Sedwick; Special Exception for a Single Family Dwelling with Variance

Rachel Cardis read the staff report.

Scott Sedwick came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Sam Mitchell made a motion to approve 22MA-7V-042 (Special Exception for New Home & Variance is for Pole Barn) with the conditions stated in the staff report.

Kasey Copeland seconded the motion. Motion carried 4-0.

10. 22JE-14-046 Ian & Megan Bush; Development Standard Variance

Rachel Cardis read the staff report.

Ian Bush came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Brent Henschen made a motion to approve 22JE-14-046 with the conditions stated in the staff report.

Sam Mitchell seconded the motion. Motion carried 4-0.

11. 22MA-7M-049 David & Kimberly Brown; Special Exception with Minor Residential Plat

Rachel Cardis read the staff report.

David and Kimberly Brown came forward on behalf of this petition. A neighbor to the Brown's property came forward with concerns on a drainage easement and since they are building a basement, he had concerns with that causing more issues. Rachel Cardis mentioned to meet with the Surveyor's Office in regard to drainage. Jonathon Hause with Hause Surveying came forward to discuss the incident with the drainage easement surrounding the adjoining property. He spoke with both parties, and they came to an agreement to benefit both. Hause Surveying is helping them with the solution.

(note the above drainage concern has nothing to do with the petition)

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Kasey Copeland made a motion to approve 22MA-7M-049 with the conditions stated in the staff report.

Brent Henschen seconded the motion. Motion carried 4-0.

12. 22JA-7-050 Roxanne A. Mitchell; Special Exception for a New Single Family Dwelling

Rachel Cardis read the staff report.

Jim Swift came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Brent Henschen made a motion to approve 22JA-7-050 with the conditions stated in the staff report.

Kasey Copeland seconded the motion. Motion carried 4-0.

13. 22CE-7-052 Angela Humphress; Special Exception for a New Single Family Dwelling

Rachel Cardis read the staff report.

Angela Humphress came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

John Merson made a motion to approve 22CE-7-052 with the conditions stated in the staff report.

Sam Mitchell seconded the motion. Motion carried 4-0.

14. 22JA-14-054 Dan Foy; Development Standard Variance

Rachel Cardis read the staff report.

Dan Foy came forward on behalf of this petition.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Brent Henschen made a motion to approve 22JA-14-054 with the conditions stated in the staff report.

Kasey Copeland seconded the motion. Motion carried 3-0 due to Mr. Merson removing himself because Mr. Foy is an employee of his.

15. 22CE-7M-057 Wilhoite Land Company; Special Exception and Minor Residential Plat

Tabled until May BZA meeting due to lack of notification.

16. 22MA-7V-058 Rick Harding; Special Exception with Development Standard Variance

Rachel Cardis read the staff report.

Rick Harding came forward on behalf of this petition. A neighbor came forward asking if mounds of dirt with trees can be put on the easement to block his barn. Attorney Bob Clutter stated that would need to go through the drainage board for approval.

John Merson closed the public hearing and opened it to the board. No questions or issues were raised by Board Members.

Sam Mitchell made a motion to approve 22MA-7V-058 with the conditions stated in the staff report.

Kasey Copeland seconded the motion. Motion carried 4-0.

D. Reports, Resolutions, Communication & General Discussion

None at this time.

With no further business, Kasey Copeland made a motion to adjourn at 7:33pm.
Sam Mitchell seconded the motion. Motion carried 4-0.